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07 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,)

09 Plaintiff,)

10 v.)

11 PATRICK LEROY PARKER,)

12 Defendant.)
13 _____)

Case No. CR03-128-JCC

SUMMARY REPORT OF U.S.
MAGISTRATE JUDGE AS TO
ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

14 An initial hearing on a petition for violations of supervised release in this case was
15 scheduled before the undersigned Magistrate Judge on October 15, 2008. The United States
16 was represented by Assistant United States Attorney Karyn S. Johnson, and the defendant by
17 Robert W. Goldsmith. The proceedings were digitally recorded.

18 The defendant had been charged and convicted of Bank Fraud, in violation of 18
19 U.S.C. §§ 1344 and 2, and on or about June 11, 2003, was sentenced by the Honorable John
20 C. Coughenour to fifteen (15) months in custody, to be followed by five (5) years of
21 supervised release.

22 The conditions of supervised release included the requirements that the defendant
23 comply with all local, state, and federal laws, and with the standard conditions. Special
24 conditions imposed included, but were not limited to, participation in a substance abuse and
25 mental health programs, financial disclosure, \$19,184 restitution, search and seizure, RRC
26 placement for up to 120 days, possess valid ID, mandatory drug testing, no firearms or

destructive devices, abstinence from alcohol, maintenance of a single checking account, disclosure of all business assets and liabilities, disclosure of all personal assets and liabilities, no new credit, and no identification in any other name..

In a Petition for Warrant or Summons dated January 14, 2008, U.S. Probation Officer Brian H. Rogers alleged the following violations by defendant of the conditions of his supervised release:

- (1) Using cocaine on September 4, 2007, in violation of standard condition #7.
- (2) Failing to submit a urine sample on December 10, December 11, December 26, 2007 and January 2, 2008, in violation of the special condition requiring him to submit to drug testing as instructed by the probation officer.
- (3) Failing to participate in substance abuse treatment at King County Recovery Center in violation of the special condition requiring him to participate in substance abuse treatment as directed by the probation officer.
- (4) Failing to notify the probation officer at least 10 days prior of a change in residence, on or about November 19, 2007, in violation of standard condition #6.

In a Supplemental Violation dated May 21, 2008, U.S. Probation Officer Michael J. Larson alleged the following supplemental violations by defendant of the conditions of his supervised release:

- (5) Committing the crime of Theft-2nd Degree on or about January 12, 2008, in violation of the mandatory condition requiring he not commit another federal, state, or local crime.
- (6) Associating with Valerie Johnson, a person engaged in criminal activity and convicted of a felony, on or about January 12, 2008, without the permission of the probation office, in violation of standard condition number nine.


On October 15, 2008, defendant made his initial appearance. The defendant was

01 advised of the allegations and advised of his rights. Defendant admitted to violations 1, 2, 3,
02 and 5 and denied violations 4 and 6.

03 I therefore recommend that the Court find the defendant to have violated the terms
04 and conditions of his supervised release as to violations, 1, 2, 3, and 5, and recommend the
05 Court conduct an evidentiary hearing on alleged violations 4 and 6, combined with a
06 disposition hearing on admitted violations 1, 2, 3 and 5. A disposition hearing on violations
07 1, 2, 3 and 5 and an evidentiary hearing on violations 4 and 6 have been set before the
08 Honorable John C. Coughenour on October 31, 2008 at 9:00 a.m.

09 Pending a final determination by the Court, the defendant has been detained.

10 DATED this 16th day of October, 2008.

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13 JAMES P. DONOHUE
14 United States Magistrate Judge

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16 cc: District Judge: Honorable John C. Coughenour
17 AUSA: Ms. Karyn S. Johnson
18 Defendant's attorney: Mr. Robert W. Goldsmith
19 Probation officer: Mr. Michael J. Larson
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